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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,812	01/21/2004	Joseph P. Baumgartner	UV-259	6195
75563 7590 02/06/2008 ROPES & GRAY LLP PATENT DOCKETING 39/361 1211 AVENUE OF THE AMERICAS NEW YORK, NY 10036-8704				
			EXAMINER LIN, JASON K	
			ART UNIT 2623	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Office Action Summary</b></p>	<p>Application No.</p> <p align="center">10/762,812</p>	<p>Applicant(s)</p> <p align="center">BAUMGARTNER ET AL.</p>	
	<p>Examiner</p> <p align="center">Jason K. Lin</p>	<p>Art Unit</p> <p align="center">2623</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-84 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-84 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/19/2007</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This office action is responsive to amendment of application No. 10/762,812 filed on 11/19/2007. **Claims 1-84** are pending and have been examined.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/19/2007 has been entered.

#### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) filed on 11/19/2007 is considered.

#### ***Response to Arguments***

4. Applicant's arguments with respect to **claims 1-84** have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-8, 10-12, 16, 21-28, 30-32, 36, 41-48, 50-52, 56, 61-68, 70-72, and 76** are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 2003/0142957) in view of Rosetti et al. (US 2005/0022242).

Consider **claims 1, 21, 41, and 61**, Young teaches a method, user equipment, system, and machine-readable media for providing a user with program information using an interactive television application (Fig.1, 2, 3, 5) implemented at least partially on user equipment (Fig.22a,b), the user equipment comprising:

a display (TV/monitor 210 - Fig.22a,b);

control circuitry (Fig.22a,b) configured to:

display a list of program listings in a grid format (Fig.1, 2, 3, 5); and

allow the user to move backwards in time, wherein the displayed list, when moved backwards in time (Paragraph 0050; Paragraph 0052 – 0054 teaches that a recorded cell would be shown in a solid red background on the listings. *Therefore, when a program is fully recorded, the broadcast of the program is over, making it a program of the past. The user is then able to view listings from the past, present and the future*), includes:

at least one listing of a past, previously recorded program that is available for viewing by the user (Paragraph 0052 – 0054 teaches that a recorded cell would be shown in a solid red

background on the listings. *Therefore, when a solid red background is shown in the cell of a listing, the program is recorded, and the broadcast of the program is over, making it a program of the past), and*

at least one cell in the grid corresponding to a listing of a past, unrecorded program, wherein the at least one cell indicates that the past unrecorded program is no longer available for viewing by the user (Paragraph 0052 – 0054 teaches that a recorded cell would be shown in a solid red background on the listings.

*Therefore, when a program is fully recorded, the broadcast of the program is over, making it a program of the past. All subsequent program listing cells that are on top and on the bottom of the recorded cell are also past programs. The unrecorded programs do not contain any type of outlining or highlighting, and therefore indicates to the user that they are not recorded and since the broadcast of the program has passed, they are not available for viewing).*

Young does not explicitly teach scroll the list backwards in time; wherein the at least one cell includes an indicator that indicates that the past, unrecorded program is no longer available for viewing by the user.

In an analogous art Rosetti teaches, scrolling a list backwards in time (IPG 400 – Fig.4; Paragraph 0029).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Young's system to include scrolling a list backwards in time, as taught by Rosetti, for the advantage of managing vast stores of information available, providing the user direct access and control through a limited number of interactions, allowing the guide to display earlier programs, and providing the user access to program listings presented at various points in time, past, current, and future.

Rosetti further teaches wherein the at least one cell includes an indicator that indicates that the past, unrecorded program is no longer available for viewing by the user (Paragraph 0030 teaches that past programs are shaded {indicator}, where recorded programs are indicated by a " \* ". Paragraph 0041 teaches playback of recorded programming content. *Only recorded programs from the past can be played back from the recording source, and unrecorded programs from the past cannot be played back to the user*).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include, wherein the at least one cell includes an indicator that indicates that the past, unrecorded program is no longer available for viewing by the user, as further taught by Rosetti, for the advantage of allowing the user to easily identify past programs that are unavailable for viewing by the user, allowing them to easily distinguish what programs they can or cannot

view, decreasing the burden of the user from having to scan through and interpret multiple listings on a program guide.

Consider **claims 2, 22, 42, and 62**, Rosetti further teaches wherein a displayed list includes at least one video-on-demand program that is available for viewing by a user (Fig.4; Paragraph 0036 teaches selecting a previously recorded program 441-Fig.4 from IPG 400-Fig.4 and playing it. Paragraph 0024, 0037-0038, 0020, 0041 teaches retrieving the video upon request from the user, transmitting the program to the user and presenting the program to the user, and allowing the user to perform trick play functions, i.e., rewinding, pausing, and fast-forwarding).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include wherein a displayed list includes at least one video-on-demand program that is available for viewing by a user, as further taught by Roth, for the advantage of allowing users to view certain programs whenever they desire, and allowing utilization of trick play functions, providing the user with greater flexibility and control.

Consider **claims 3, 23, 43, and 63**, Young and Rosetti teaches at least one of the at least one previously recorded program is stored on a local personal video recorder (Young - Paragraph 0054 teaches a

recorded program is displayed in a solid red background. Paragraph 0077 teaches recorded program on a video recorder).

Consider **claims 4, 24, 44, and 64**, Young and Rosetti teach at least one of the at least one previously recorded program (Young - Paragraph 0052 – 0054 teaches that a recorded cell would be shown in a solid red background on the listings. *Therefore, when a solid red background is shown in the cell of a listing, the program is recorded, and the broadcast of the program is over, making it a program of the past*), but do not explicitly teach it is stored on a network-based video recorder.

Rosetti further teaches a previously recorded program stored on a network-based video recorder (Fig.1; Paragraph 0019; Paragraph 0036, 0037).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include a previously recorded program stored on a network-based video recorder, as further taught Rosetti, for the advantage of at a minimum, relieving the user of the burden of any system maintenance or storage upgrade (Rosetti - Paragraph 0019), and allowing users to record and have access to past programs that might otherwise have been unavailable to clients in locations where there is minimal local storage availability.



Consider **claims 5, 25, 45, and 65**, Young and Rosetti teaches allowing the user to select for viewing a previously recorded program listed in the list (Young - Paragraph 0054; Paragraph 0095, 0131).

Consider **claims 6, 26, 46, and 66**, Young and Rosetti teaches wherein at least one program listed in the list is associated with a visual indicator (Young - Paragraph 0052; 40 – Fig.2, 3), wherein the visual indicator indicates that the associated program is scheduled for recording (Young - Paragraph 0052; 40 – Fig.2, 3).

Consider **claims 7, 27, 47, and 67**, Young and Rosetti teaches wherein at least one program listed in the list is associated with a visual indicator (Young - Paragraph 0054), wherein the visual indicator indicates that the associated program has been recorded (Paragraph 0054).

Consider **claims 8, 28, 48, and 68**, Young and Rosetti teaches wherein at least one program listed in the list is associated with a visual indicator (Young - Paragraph 0052-0053), wherein the visual indicator indicates that the associated program is currently being recorded (Young - Paragraph 0052-0053).

Consider **claims 10, 30, 50, and 70**, Young and Rosetti teaches wherein the allowing the user to scroll the list backwards in time (Rosetti -

IPG 400 – Fig.4; Paragraph 0029) comprises displaying a list of previously recorded programs (Young - Paragraph 0052 – 0054 teaches that a recorded program's cell would be shown in a solid red background on the listings. Rosetti – Fig.4; Paragraph 0030 teaches recorded programs are indicated by a " \* ").

Consider **claims 11, 31, 51, and 71**, Rosetti further teaches wherein a list includes at least one video-on-demand program that is available for viewing by a user (Fig.4; Paragraph 0036 teaches selecting a previously recorded program 441-Fig.4 from IPG 400-Fig.4 and playing it. Paragraph 0024, 0037-0038, 0020, 0041 teaches retrieving the video upon request from the user, transmitting the program to the user and presenting the program to the user, and allowing the user to perform trick play functions, i.e., rewinding, pausing, and fast-forwarding).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include wherein a list includes at least one video-on-demand program that is available for viewing by a user, as further taught by Roth, for the advantage of allowing users to view certain programs whenever they desire, and allowing utilization of trick play functions, providing the user with greater flexibility and control.

Consider **claims 12, 32, 52, and 72**, Young and Rosetti teaches wherein the allowing the user to scroll the list backwards in time (Rosetti - IPG 400 – Fig.4; Paragraph 0029) comprises displaying at least one category of previously recorded programs (Young – Paragraph 0076 teaches displaying a menu of previously recorded programs).

Consider **claims 16, 36, 56, and 76**, Young and Rosetti teaches allowing the user to schedule for recording at least one program listed in the list (Young - Paragraph 0052).

7. **Claims 9, 29, 49, and 69** are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 2003/0142957) in view of Rosetti et al. (US 2005/0022242), and further in view of Arsenault et al. (US 6,701,528).

Consider **claims 9, 29, 49, and 69**, Young and Rosetti do not explicitly teach wherein at least one program listed in the list is associated with a visual indicator, wherein the visual indicator indicates that the associated program is a video-on-demand program.

In an analogous art, Arsenault teaches wherein at least one program listed in the list is associated with a visual indicator, wherein the visual indicator indicates that the associated program is a video-on-demand program (col 9: lines 61-63 teaches a "VOD indicator or other appropriate flag in the program guide...").

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include a visual indicator that indicates that the associated program is a VOD program, as taught by Arsenault, for the advantage of providing the user with a quick visual regarding which programs are VOD content on their programming guide allowing the user to quickly locate VOD content.

8. **Claims 13, 33, 53, and 73** are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 2003/0142957) in view of Rosetti et al. (US 2005/0022242), and further in view of Javed (US 2002/0162112).

Consider **claims 13, 33, 53, and 73**, Young and Rosetti do not explicitly teach wherein at least one program listed in the list is available for viewing for a limited time, the method further comprising allowing the user to extend the time of availability of said program.

In an analogous art, Javed teaches wherein at least one program listed in the list is available for viewing for a limited time (Paragraph 0054 teaches "the VPOP URL may subsequently used to validate whether the video is still within the rented duration,..." That means the video is only available for viewing for a set amount of time), the method further comprising allowing the user to extend the time of availability of said program (Paragraph 0054 and 0069 teach "if the video's rental duration has expired", the user is able to "extend the video's rental duration", thereby extending the time the video is available to be viewed).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include a program available for viewing for a limited time, and allowing the user to extend the time of availability of the program, as taught by Javed, for the advantage of allowing for content like new movie releases that in the past was rented in video stores, to be viewed, rented, and renewed without having to walk outside the comforts of home.

9. **Claims 14, 34, 54, and 74** are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 2003/0142957) in view of Rosetti et al. (US 2005/0022242), and further in view of Proehl et al. (US 6,532,589).

Consider **claims 14, 34, 54, and 74**, Young and Rosetti do not explicitly teach allowing the user to set a reminder for at least one program listed in the list.

In an analogous art, Proehl teaches allowing the user to set a reminder for at least one program listed in the list (col 8: lines 59-60 teach that the "user may edit the future scheduled activities..." where the scheduled activities include remind, record, pay per view, etc as taught on col 8: lines 13-20. col 8: lines 41-43 shows that the same scheduled activities on daily planner is the same as the ones shown on the TV planner 900).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify they system of Young and Rosetti to include allowing

users to set a reminder for at least one program listed in the list, as taught by Proehl, for the advantage of providing a user-friendly system interface that accommodates all users by allowing for scheduled programming information to be presented in a format that is easy-to-read and understand (Proehl - col 1: line 59 – col 2: line 1), and allowing the user to be notified of desired content so that they will not miss programs that they desire to watch.

10. **Claims 15, 35, 55, and 75** are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 2003/0142957) in view of Rosetti et al. (US 2005/0022242), further in view of Proehl et al. (US 6,532,589), and further in view of Yoshinobu (US 5,734,444).

Consider **claims 15, 35, 55, and 75**, Young, Rosetti, and Proehl teaches a reminder was set (Proehl - col 8: lines 59-60 teach that the “user may edit the future scheduled activities...” where the scheduled activities include remind, record, pay per view, etc as taught on col 8: lines 13-20. col 8: lines 41-43 shows that the same scheduled activities on daily planner is the same as the ones shown on the TV planner 900), but do not explicitly teach determining if the user is watching the program.

recording automatically said program if the user is not watching said program.

In an analogous art, Yoshinobu teaches determining if a user is watching a program.

recording automatically said program if the user is not watching said program (Yoshinobu teaches in col 24: lines 51-59 if it is determined that the program is not being watched by the viewer the program is automatically recorded).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young, Rosetti, and Proehl to record the program when the user is not watching the program for which a reminder is set, as taught by Yoshinobu, for the advantage of enabling the user to watch their desired program without fail, even when the user is not presently watching the program (Yoshinobu - Col 2: lines 30-35).

11. **Claims 17, 19, 37, 39, 57, 59, 77, and 79** are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 2003/0142957) in view of Rosetti et al. (US 2005/0022242), and further in view of Ismail et al. (US 6,614,987).

Consider **claims 17, 37, 57, and 77**, Young and Rosetti do not explicitly teach determining a personal profile based on gathered information relating to the user.

In an analogous art, Ismail determining a personal profile based on gathered information relating to a user (col 4: lines 13-34 teaches a preference database 116 that contains user viewing data that is generated by the preference agent 110 depending on the amount of time the particular category is watched by the user. The preference database acts

as the personal profile of the user while the preference agent is the one that gathers information relating to the viewing data of the user).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to determine a personal profile based on gathered information relating to a user, as taught by Ismail, for the advantage of allowing the device to better understand the viewing preference of the user in order to further tailor to the specific needs of unique viewers.

Consider **claims 19, 39, 59, and 79**, Ismail further teaches recording a program, wherein said program is selected based at least in part on the personal profile (Col 4: lines 28-34 teaches recordation and storage of programs according to information from the preference database 116 that functions as the personal profile).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young, Rosetti, and Ismail to record a program where the selected program is at least in part on the personal profile, as further taught by Ismail, for the advantage of relieving the user from the task of selecting programs to record from a huge amount of potentially hundreds of program selections (Ismail - Col 1: lines 48-50).

12. **Claims 18, 38, 58, and 78** are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 2003/0142957) in view of Rosetti et al. (US



2005/0022242), further in view of Ismail et al. (US 6,614,987), and further in view of Proehl et al. (US 6,532,589).

Consider **claims 18, 38, 58, and 78**, Young, Rosetti, and Ismail teaches wherein said program is selected based at least in part on the personal profile (Ismail - a personal profile is taught in col 4: lines 13-34 referred to as preference database. Col 4: lines 28-34 teaches that a program can be selected for storage based on data from the preference database), but do not explicitly teach setting a reminder for a program.

In an analogous art, Proehl teaches setting a reminder for a program (Col 8: lines 59-60 teach that the "user may edit the future scheduled activities..." where the scheduled activities include remind, record, pay per view, etc as taught on col 8: lines 13-20. col 8: lines 41-43 shows that the same scheduled activities on daily planner is the same as the ones shown on the TV planner 900).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young, Rosetti, and Ismail to set a reminder for a program that is selected based at least in part on the personal profile, as taught by Proehl, for the advantage of notifying the user of desirable program that can be watched, alleviating the user from the task of going through programs and manually setting reminders.

13. **Claims 20, 40, 60, 80, and 81-84** are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 2003/0142957) in view of Rosetti et al. (US 2005/0022242), and further in view of Allport (US 6,483,548).

Consider **claims 20, 40, 60, and 80**, Young and Rosetti teaches wherein the past, unrecorded program is indicated (Paragraph 0052 – 0054 teaches that a recorded cell would be shown in a solid red background on the listings. *Therefore, when a program is fully recorded, the broadcast of the program is over, making it a program of the past. All subsequent program listing cells that are on top and on the bottom of the recorded cell are also past programs. The unrecorded programs do not contain any type of outlining or highlighting, and therefore indicates to the user that they are not recorded and since the broadcast of the program has passed, they are not available for viewing.* Rosetti - Paragraph 0030 teaches that past programs are shaded {indicator}, where recorded programs are indicated by a " \* "), wherein the allowing the user to scroll the list backwards in time (Rosetti - IPG 400 – Fig.4; Paragraph 0029) comprises:

Young and Rosetti do not explicitly teach an empty cell indication,

In an analogous art, Allport teaches an empty cell indication (empty cell 5 - Fig.6).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include an empty cell indicator, as taught by Allport, for the advantage of clearly indicating

unavailability so that a user is not confused whether or not a program can be selected/viewed, so they do not waste time selecting an unavailable program.

Allport further teaches determining whether at least one row of the grid consists of empty cells; and collapsing the grid to remove the at least one row of empty cells (Col 7: line 59 – col 8: line 1; Col 9: lines 14-35; Col 10: lines 14-16).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include determining whether at least one row of the grid consists of empty cells; and collapsing the grid to remove the at least one row of empty cells, as further taught by Allport, for the advantage of displaying information in a more compact form, saving more display space, reducing the amount of empty cells and increasing the representational efficiency (Allport- col 4: lines 56-66, col 8: lines 5-7) providing the user with a more visually pleasing and intuitive interface.

Consider **claims 81-84**, Young and Rosetti teaches wherein the past, unrecorded program is indicated (Young - Paragraph 0052 – 0054 teaches that a recorded cell would be shown in a solid red background on the listings. *Therefore, when a program is fully recorded, the broadcast of the program is over, making it a program of the past. All subsequent program listing cells that are on top and on the bottom of the recorded cell*

*are also past programs. The unrecorded programs do not contain any type of outlining or highlighting, and therefore indicates to the user that they are not recorded and since the broadcast of the program has passed, they are not available for viewing;* Rosetti - Paragraph 0030 teaches that past programs are shaded {indicator}, where recorded programs are indicated by a " \* "), wherein the allowing the user to scroll the list backwards in time (Rosetti - IPG 400 – Fig.4; Paragraph 0029), but do not explicitly teach an empty cell indication,

In an analogous art, Allport teaches an empty cell indication (empty cell 5 - Fig.6).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify the system of Young and Rosetti to include an empty cell indicator, as taught by Allport, for the advantage of clearly indicating unavailability so that a user is not confused whether or not a program can be selected/viewed, so they do not waste time selecting an unavailable program.

### **Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason K. Lin whose telephone number is (571)270-1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on (571)272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason Lin

01/23/2008

  
BRIAN PENDLETON  
SUPERVISORY PATENT EXAMINER